

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION

Case No. 3:22-cr-010

United States of America,)
)
Plaintiff,)
)
vs.)
)
Macalla Lee Knott,)
)
Defendant.)

T R A N S C R I P T

OF

P R O C E E D I N G S

(Sentencing)

Taken at:
Quentin N. Burdick U.S. Courthouse
655 First Avenue North
Fargo, North Dakota 58102

January 3, 2025
9:07 a.m.

BEFORE THE HONORABLE PETER D. WELTE

COURT REPORTER: CAROLYN TAYLOR PEKAS, RPR

A P P E A R A N C E S

COUNSEL FOR THE PLAINTIFF:

Christopher C. Myers, Esq.
Assistant United States Attorney
655 First Avenue North, Suite 250
Fargo, North Dakota 58102-4932
701.297.7400
chris.c.myers@usdoj.gov

COUNSEL FOR THE DEFENDANT:

Tanya M. Martinez, Esq.
MARTINEZ LAW, PLLC
3332 Fourth Avenue South, Suite 2B
Fargo, North Dakota 58103
701.491.7646
tanya@johnsonmartinezlaw.com

1 (The above-entitled matter came before
2 the Court, the Honorable Peter D. Welte, United
3 States District Court Chief Judge, presiding,
4 commencing at approximately 9:07 a.m., Friday,
5 January 3, 2025, at the Quentin N. Burdick U.S.
6 Courthouse, 655 First Avenue North, Fargo, North
7 Dakota.)

8 THE COURT: We're on the record, and the
9 matter before the Court is the United States
10 vs. Macalla Knott.

11 Ms. Knott is present. Good morning,
12 Ms. Knott.

13 THE DEFENDANT: Good morning.

14 THE COURT: She's represented by Tanya
15 Martinez, and the United States is represented by
16 Chris Myers.

17 We are here for a sentencing hearing.

18 And I will note for the record that Dyan
19 Jorgenson is present by interactive video from
20 the Ron Davies Courthouse and Federal Building in
21 Grand Forks, North Dakota.

22 Ms. Knott, before we proceed, let's have
23 you placed under oath. Would you please stand
24 and raise your right hand?

25 THE DEFENDANT: Yes.

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MACALLA KNOTT,

having been duly sworn, testified as follows:

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THE COURT: Thank you. Be seated,
please.

Ms. Knott, how are you doing this
morning?

THE DEFENDANT: I'm pretty good. I'm
pretty good. How are you?

THE COURT: Well, thank you. I am well.
I am much more concerned with you, to make sure
that you're doing okay and that your -- your
mental state is good?

THE DEFENDANT: Yes.

THE COURT: Okay. You're not under the
influence of any alcohol or drugs, are you?

THE DEFENDANT: No.

THE COURT: Okay. I have to ask that
question, as silly as it may seem, but we just
want to make sure that you're sober.

I know that you came over here from
Becker County, so the marshals probably were
transporting you quite early this morning.

THE DEFENDANT: Yes.

1 THE COURT: Okay. Did you get some
2 sleep last night?

3 THE DEFENDANT: Barely, but yes.

4 THE COURT: All right. Did you get
5 enough sleep so that your head is fresh and
6 you're ready to move forward?

7 THE DEFENDANT: Yes. I've been waiting
8 for this day forever. Yes.

9 THE COURT: Okay. Are you satisfied
10 with the legal representation you've received in
11 this case?

12 THE DEFENDANT: Yes.

13 THE COURT: Okay. Very good. Well,
14 then we will move forward.

15 I do have a Presentence Investigation
16 Report, and I note that with regards to that
17 Presentence Investigation Report, which was filed
18 less than a week ago as Document 650 in the
19 record, that there are no unresolved objections
20 to the PSIR.

21 Is that the case, Ms. Martinez?

22 MS. MARTINEZ: Yes, Your Honor.

23 THE COURT: Thank you.

24 And, Mr. Myers, the same?

25 MR. MYERS: That's correct, Your Honor.

1 THE COURT: Okay. Let's talk about the
2 offense level computation in this document. The
3 offense level computation is set forth in the
4 PSIR, and that starts on page 9. Paragraph 24
5 sets forth the base offense level at a 42. The
6 adjusted offense level is also a 42.

7 I will note in paragraph 27 that
8 although Ms. Knott had an aggravating role in the
9 conspiracy pursuant to Comment Note 1 and 2D1.5,
10 an adjustment from Chapter Three should not be
11 applied because it's already incorporated into
12 the count of conviction.

13 Ms. Martinez, no questions about that?

14 MS. MARTINEZ: No, Your Honor.

15 THE COURT: Okay. So the adjusted
16 offense level is a 42, and the Defendant is
17 afforded a two-level reduction for accepting
18 responsibility and an additional one level for
19 timely notification. Total offense level of 39.

20 Ms. Knott has 14 criminal history
21 points, so she's Criminal History Category VI, so
22 the sentencing guideline range in this matter is
23 life.

24 Any objection to the computation of the
25 Court, Ms. Martinez?

1 MS. MARTINEZ: No, Your Honor.

2 THE COURT: And Mr. Myers?

3 MR. MYERS: No objection, Your Honor.

4 I would note that I think the defense
5 was asking for an adjustment in the criminal
6 history category, based on oral representation,
7 because I think -- I think it's pretty clear that
8 the driving under suspension after revocations
9 have -- have driven her criminal history score
10 and category way high, so -- we discussed this
11 beforehand. I don't have an objection. I think
12 legally the Court can move it one category down,
13 from a VI to a V, is how I understand the law to
14 be, but I just wanted to make sure that was in
15 the record. We did discuss that, and it makes
16 sense here.

17 We also talked to Ms. Jorgenson about
18 that, and I think Probation is in agreement with
19 that, if I'm not mistaken, so...

20 THE COURT: Yeah. I appreciate you
21 bringing that up. Let's first make sure that
22 there are no objections to the computation the
23 Court has.

24 That's the case, Mr. Myers?

25 MR. MYERS: No objection, Your Honor.

1 THE COURT: Thank you, sir.

2 Ms. Martinez, your voice is a little
3 softer to me, in my ears, so if we can get that
4 microphone somehow arranged so it's more directly
5 in front of you.

6 Now, the criminal history -- the
7 argument, I believe, that's being made is that
8 the criminal history is overrepresented because
9 10 of her 13 criminal history points are due to
10 driving after revocation convictions.

11 Ms. Martinez, do you wish to spell out
12 the argument more? I know that you've documented
13 it as well. Go ahead.

14 MS. MARTINEZ: Your Honor, I think that
15 what I put in my memo explains it. I don't
16 think -- I am aware that the Court thoroughly
17 reviews the memos and all of the attachments. It
18 was my hope that the Court would take a look at
19 those priors and do as Mr. Myers has suggested,
20 reduce the category. I would ask that it would
21 be reduced a couple of levels, because the points
22 were all DUSs, to Category III.

23 THE COURT: Well, this is a request for
24 a departure due to an overrepresentation of the
25 criminal history category and the --

1 Ms. Jorgenson, can you please delineate
2 for me the specific guideline for the departure?

3 USPO JORGENSEN: Under 4A1.3(b)(1).

4 THE COURT: 4A1.3 -- was that "b," as in
5 "boy," 1?

6 USPO JORGENSEN: Yes.

7 THE COURT: And -- all right.

8 So, Mr. Myers, do you care to speak to
9 the request any more than you already have?

10 MR. MYERS: No, Your Honor. Thank you.

11 THE COURT: Thank you.

12 Under (b)(1): If reliable information
13 indicates that the defendant's criminal history
14 category substantially overrepresents the
15 seriousness of the defendant's criminal history
16 or the likelihood that the defendant will commit
17 other crimes, a downward departure may be
18 warranted.

19 And a limitation on the extent of the
20 downward departure for a career offender is set
21 forth in 4A1.3(b)(3). That does not apply here.

22 In this specific instance, it's pretty
23 clear that the driving after revocations -- as a
24 matter of fact, if all of the driving after
25 revocations were removed, Ms. Knott would be a

1 Criminal History Category II instead of a VI.
2 She was incarcerated when she signed petitions to
3 plead in these cases, and she accepted 90-day
4 sentences.

5 I do think, given the heavy impact on
6 her criminal history category, that a downward
7 departure under 4A1.3(b)(1) is warranted.

8 Now, there must be written
9 specifications. It does say: In departing from
10 the otherwise applicable criminal history
11 category under this policy statement, the Court
12 shall specify in writing the specific reasons why
13 the applicable criminal history category
14 substantially overrepresents the seriousness of
15 the criminal history or the likelihood that the
16 defendant will commit other crimes.

17 So the Court will do that in the
18 departure section under -- in the Statement of
19 Reasons of the judgment, but I think the parties
20 are in agreement that it does apply. It will be
21 reduced one category, which will bring us to a 39
22 and a Criminal History Category V, which means
23 that the guideline range is --

24 Is it then still 360 to life,
25 Ms. Jorgenson?

1 USPO JORGENSEN: Yes, Your Honor.

2 THE COURT: Okay. Ms. Martinez, any
3 objection to the computation of the Court?

4 MS. MARTINEZ: Only to the extent that
5 we would ask that it be reduced down to a
6 Category III, which is one category higher than
7 what it would be if the Court completely
8 disregarded them.

9 Ms. Knott pled to those because she
10 wanted programming in prison; and so, you know,
11 if she had been reinstated, the normal practice
12 is to dismiss them. It's just she wanted
13 programming, so she just pled to everything to
14 clear that up and get programming in prison.

15 THE COURT: Mr. Myers, response of the
16 United States to that?

17 MR. MYERS: Yeah. Two things, Judge. I
18 think the Court is legally bound to reduce it
19 only by one category, as I recall; but, in any
20 event, in this case the guideline is life because
21 of the minimum mandatory on the CCE count, so
22 it's a distinction without a difference.

23 THE COURT: Yeah. With regards to
24 Count Five, it's not actually 360 to life. The
25 guideline is life on Count Five, and -- and to

1 say it's a distinction without a difference is
2 accurate.

3 The request for further departure is
4 denied. The Court can make the finding and will
5 reduce it to writing in the Statement of Reasons
6 with regards to the overrepresentation based on
7 the driving after revocations, but the Court is
8 limited under federal law to one category, and so
9 we will follow the limits.

10 Any further objections to the PSIR?

11 MS. MARTINEZ: No, Your Honor.

12 THE COURT: Okay. So -- I shouldn't say
13 "further objections" because there actually are
14 no unresolved objections. Correct?

15 MS. MARTINEZ: Correct.

16 THE COURT: And, Mr. Myers, the same?

17 MR. MYERS: Correct, Your Honor.

18 THE COURT: All right. So we have a
19 PSIR, then, and the Court will accept the
20 undisputed portions of the PSIR as findings of
21 fact for purposes of this hearing today, and the
22 Court does that pursuant to the Federal Rules of
23 Criminal Procedure.

24 It occurs to me that the Court has
25 something that it needs to address with the

1 parties in camera, so as inconvenient as it is
2 going to be for the full gallery here,
3 Mr. Birrenkott and Mr. Porter, the court security
4 officers, are going to assist all who are not
5 part of the legal teams of either side out of the
6 courtroom. When I get back on the record --
7 you'll be invited in before I go back on the
8 record, so you will miss nothing that is on the
9 record, but I have something that I need to
10 address with the parties in camera.

11 So, ladies and gentlemen, if you're not
12 part of the legal teams, please exit.

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14 courtroom and the following in camera proceedings
15 were held:)

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19 (In camera proceedings concluded.)

20 THE COURT: Okay. We are out of in
21 camera. We're back on the record.

22 Prior to going in camera, the Court
23 accepted the undisputed portions of the
24 Presentence Investigation Report as findings of
25 fact for purposes of this hearing, and we are

1 ready now for the recommendations of the parties.

2 As is the standard, the United States
3 will give their recommendation first, and then
4 the defense will give theirs. Ms. Knott will
5 have an allocution, if she so desires, and the
6 Court will then impose sentence.

7 Mr. Myers.

8 MR. MYERS: Thank you, Your Honor.

9 And I think the defense would -- there's
10 a couple people that want to speak on Ms. Knott's
11 behalf, too, just so the Court is aware, but I'll
12 be brief, Judge.

13 THE COURT: Okay.

14 MR. MYERS: I just want to cover a few
15 areas in this particular case in support of our
16 recommendation, and we're going to ask the Court
17 to sentence Ms. Knott on Counts Four and Five,
18 and as the Court is aware, Count One is a lesser
19 included of the Continuing Criminal Enterprise
20 charge.

21 And so in this particular case, Judge,
22 we're going to recommend to the Court a sentence
23 of 321 months with supervised release of five
24 years.

25 I just want to talk about -- a little

1 bit about some of the arguments advanced related
2 to the 3553(a) factors, recognizing the (a)
3 factors are not applicable here, but I just want
4 to briefly cover a response to those.

5 And Ms. Martinez did a nice job of
6 putting together the sentencing memorandum in
7 this particular case. And recognizing that
8 Ms. Knott has had a difficult childhood, to say
9 the least, that is, I think, undisputed here
10 and -- and not unlike most every case we see in
11 federal court with families. What is different
12 here, and it goes to an aggravating factor in
13 this particular case, is she was able to navigate
14 those family circumstances and ultimately was,
15 you know, supplying her grandma with pound
16 quantities of methamphetamine and supervising her
17 father to store drugs and money and facilitate
18 money being moved to Mexico.

19 And so as it relates to an aggravating
20 factor, Ms. Knott has -- is charming and has the
21 ability to manipulate people to serve her
22 purposes -- very nice, very likeable -- but it is
23 a -- it is a natural skill that she possesses,
24 and there's almost an air of immaturity when she
25 presents. And I don't know if that's a facade or

1 her personality, but it -- but it endears people
2 to her, and she has this unique ability to get
3 people to do what she wants them to do, and it
4 is, in a true sense, an illusion as to her role
5 in this organization.

6 When you look at some of the aggravating
7 factors of the nature and circumstances of the
8 offense, you look at the amount of people
9 Ms. Knott supervised in this organization, nearly
10 twice that that is required to prove the
11 continuing criminal enterprise. I think we
12 allege nine. It's probably more than nine in
13 this particular conspiracy.

14 And what's remarkable, Judge, is she did
15 it from a foreign country, which is no easy task.
16 Just navigating the trafficking activities and
17 ensuring that large shipments of drugs are into
18 the United States and that money is being paid;
19 the ability to influence and manipulate people to
20 ensure that the drugs arrive and the money is
21 paid is remarkable.

22 And Ms. Knott did it for two years in
23 Mexico, and she did it knowing before she went to
24 Mexico and -- and there's an argument advanced
25 that she went down to Mexico for COVID, and maybe

1 that's part of the reason; there are probably a
2 number of reasons, but it's undisputed that
3 Ms. Knott was a large-scale drug trafficker
4 before she went to Mexico. She knew the folks,
5 at least some of the folks, in Mexico and went
6 down there and just became bigger from Mexico.
7 And that is remarkable, and it takes a unique
8 skill set that, in our view, is an aggravating
9 factor.

10 And then it goes without saying the
11 large quantities and shipments of drugs that were
12 shipped into the Midwest, just huge quantities
13 as -- as the Court is well aware and as alleged
14 in the Indictment.

15 And so those aggravating factors, in our
16 view, far outweigh the mitigating factors cited
17 by the defense in this particular case to the
18 extent they even apply.

19 And so at the end of the day, Judge, we
20 believe a sentence that is appropriate, given all
21 of the circumstances, is 320 months -- 321 months
22 and five years supervised release.

23 I think as part of the agreement we've
24 moved to dismiss Counts Two and Eight in this
25 particular case.

1 And so I think that is all I have at
2 this time. Thank you.

3 THE COURT: Thank you, Mr. Myers.

4 Ms. Martinez.

5 MS. MARTINEZ: Your Honor, this was my
6 first CCE case, so it's been with me for about
7 two and a half years now, and that's no secret.
8 My client's aware of that. I've learned a lot
9 through this case.

10 One thing that I have done is spent
11 many, many hours with my client and had many
12 conversations. If it's a facade, it's -- it's
13 one that's been kept up unbelievably well,
14 because Macalla is always Macalla when I
15 encounter her.

16 Mr. Myers is correct. She is very
17 endearing. The first thing she was worried about
18 this morning when she saw me is how am I doing.
19 She said, "You're going to do a good job." She's
20 always worried about what's going on in somebody
21 else's life, and I think that that did contribute
22 to her ability to survive in Mexico. It's just
23 very hard to be angry with her, and she doesn't
24 stay angry with people.

25 I agree that there would be an element

1 of immaturity there, almost naivete, in that she
2 truly wants to believe the best of people, and so
3 she looked at the people in Mexico like that,
4 looked at them as being poverty stricken, and you
5 know, that's one of the things that they did to
6 get themselves out of poverty.

7 But once actually after being there,
8 things, I would suggest, did not necessarily get
9 bigger for her. The Mexican cartel had her, and
10 they used her and used her charm and used her
11 capacity to see that good in people.

12 She befriended the women that were in
13 the family, and some of them spoke English, so
14 they were of great assistance to her.

15 And she was able to navigate her way
16 through Mexico, but she's kind of a novelty.
17 She's an American, blonde-haired, blue-eyed gal
18 who is very pretty and very charming, and that
19 did probably allow her to pass through very
20 difficult situations with some ease.

21 The coordination that occurred with the
22 people back here wasn't so much rocket science or
23 anything special particular to her case. Once
24 Frankie and Miguel were involved, all of a sudden
25 the quantities became much higher, her fear

1 became much greater, and she didn't -- the way
2 Ms. Knott would describe it is she didn't fare
3 nearly as well as she did during the earlier drug
4 trafficking, prior to going to Mexico.

5 The profits weren't necessarily going to
6 her. She was getting money from unemployment
7 that attributes for \$3,000 a month for two years,
8 so that's approximately, what, \$70,000 that would
9 have been transferred? She guesstimates that she
10 made approximately \$45,000 in profits during the
11 time that she was in Mexico. But we don't
12 dispute that the operation didn't get bigger;
13 it's just that it eclipsed her, and she became
14 just a pawn in it. And as indicated earlier, I
15 truly believe that if the United States
16 Government had not rescued her, she would be dead
17 today.

18 (Private discussion between the
19 Defendant and Ms. Martinez.)

20 MS. MARTINEZ: Her mother, Tanja
21 Tilleskjor, would like to give a statement, and
22 also a friend, Ashley Schlichting, if the Court
23 would so allow.

24 I think that in the memorandum I've
25 intertwined what many, many character letters

1 have said, but those two are important to her and
2 highlight, and they would like to address the
3 Court personally.

4 THE COURT: Thank you, Mr. Porter.

5 Yes. You may approach the bar, ma'am,
6 and you may come past and come to the podium.

7 Please say your name and spell the name
8 for the record.

9 TANJA TILLESKJOR: My name is -- is it
10 on?

11 THE COURT: I don't think so.

12 Now it is.

13 TANJA TILLESKJOR: Hello. My name is
14 Tanja Tilleskjur, T-I-L-L-E-S-K-J-O-R. I am
15 Kayla's mother.

16 I guess I'm not sure where to start, but
17 let me rebut what Mr. Myers said. He's got my
18 daughter completely wrong. She's a beautiful
19 soul. She'll do anything for anybody, and that's
20 part of the problem. She doesn't know how to say
21 no to people. She'll help anyone. You hurt her,
22 she'll still help you. That's just who she is.

23 It's not an act, sir. It's her. She's
24 a beautiful person. People want to be around her
25 because of who she is. She makes you feel better

1 just being in her presence.

2 She did not go down there to continue no
3 empire. She went down there to get away from
4 COVID. She went down there with, knowing she had
5 a way back through, a passport, which later
6 didn't happen for her, so she then became stuck.
7 She was stuck down there. She had no way to get
8 back. She tried getting other passports sent to
9 her. They didn't make it through the mail. I
10 guess the Mexican mail is pretty corrupt.

11 I had to borrow her money down there to
12 pay rent, so if she was continuing her empire, I
13 wouldn't have needed to do that.

14 THE COURT: You'll need to face the
15 front of the court.

16 TANJA TILLESKJOR: I'm just -- you guys
17 have it wrong. She wasn't up here doing that and
18 then going down there to continue anything. She
19 ended up getting stuck there. She had no other
20 means. She had no other way. She had no way to
21 make money to survive. She knew -- she did what
22 she knew how to do, and we've got to believe that
23 is because of me, my mother. It's a long history
24 that's finally ended.

25 She doesn't deserve 300-and-some months.

1 I swear to God, she doesn't. She wasn't
2 manipulating anyone. She has no money. She has
3 no car. She has nothing. I mean, I would think
4 a kingpin would have all kinds of things to
5 confiscate. She had nothing. She's not who
6 they're making her out to be.

7 And I beg you, I beg you not to give her
8 that much time. Thank you.

9 THE COURT: Thank you.

10 Please come forward. Thank you.

11 Please proceed with your name, and then
12 if you'd spell it for the record, please.

13 ASHLEY SCHLICHTING: Yes. My name is
14 Ashley Schlichting, and that's
15 S-C-H-L-I-C-H-T-I-N-G.

16 THE COURT: Thank you. Please proceed.

17 ASHLEY SCHLICHTING: You're welcome.

18 So I've known Kayla since I was about
19 12 years old, so it's been over 20 years. Sorry.
20 I'm going to get emotional.

21 So I met her -- I wrote this in the
22 letter. Sorry.

23 Thank you.

24 THE COURT: Thank you, Marshal.

25 ASHLEY SCHLICHTING: But I met her

1 biking, and we would bike up to this grocery
2 store -- I mean this convenience store near home,
3 near our home, and Kayla would be hanging out
4 with her little brother, and she would beg us to
5 go biking because she wanted some friends to hang
6 out with, and so that's how I met Kayla. And
7 she -- like, she meshed and immersed into my
8 family.

9 And who you guys know -- like, I
10 respect, like, all of your guys' positions
11 because you were placed there for a reason, but
12 who you hear Kayla to be and the -- the bad way
13 that you're drawing it out, that's just who she's
14 been.

15 She was craving a family. She was
16 living with her grandma. She would come over to
17 my family's house to celebrate holidays, to have
18 dinner, to spend time and actually experience a
19 family. I grew up in a very loving home. My
20 parents loved everybody, and they love Kayla to
21 this day. It breaks their heart that she ended
22 up here.

23 And she's always been supportive, and
24 that's just who she is. She's ingrained to love
25 on you, and it's not a facade. It seems like

1 immaturity, but she just loves life.

2 No matter what happens to her today -- I
3 know that people have to face consequences for
4 their actions, but I've been working in the
5 recovery community for several years now, and
6 it's people like Kayla that I keep pushing
7 forward because they're good people. They grew
8 up in a messed-up situation. She didn't have a
9 normal family to go to and do these things. It's
10 how she was raised. And it's nothing against her
11 family. I love her parents to death because
12 they -- they made this wonderful person, but
13 it's -- it's -- in our recovery community, we
14 have to show love to these people.

15 I was in -- stuck in addiction myself,
16 and I'm very fortunate and blessed to be able to
17 go inside the prisons today and help people like
18 her so that they can transform their life and use
19 what they've been putting for bad to good.

20 You know, I -- I -- I strongly rely on
21 my faith. I 100 percent believe that we can be
22 transformed and use what we've been doing in our
23 addiction and use it for good. And I just -- I
24 pray that you see that because the judge that
25 gave me a break when I had dealt with my stuff

1 saw and had hope in me that I didn't have for
2 myself, and it wasn't until years later that I
3 can thank him for allowing me to live my life for
4 my children, for my family.

5 Kayla's a wonderful person, and if we
6 can put what she does to use in our community
7 and -- and give her that support -- because
8 that's all she's every known. If we can give her
9 the resources and tools to be who she needs to
10 be, the -- the people that are getting stuck in
11 these systems and coming out are not the same
12 people. It's like we -- we have to be conformed,
13 and then you get institutionalized, and it's so
14 hard to break out of it.

15 And I just ask that you see who she is
16 as a person, and it's not a bad thing. She will
17 make you laugh. She annoys the heck out of my
18 dad, like -- my dad will never crack -- he'll
19 never crack a joke, he'll never laugh; and Kayla
20 can sit in our living room with him, and we're
21 laughing.

22 And, like, she would call us from
23 Mexico, and my parents -- it would break their
24 heart because they knew that she was stuck. And
25 you could hear it in her voice. And she missed

1 her family, and she missed home, and she missed
2 us because she just loves us. Like, she loves
3 everybody, honestly. She probably loves the
4 prosecutor right now. It's just an unconditional
5 love. Like, she's not going to hold anything
6 against anybody, and I don't think that's a
7 fault. I think what Kayla has and possesses,
8 yes, she used it for not so good things, but
9 she's a wonderful person.

10 And we can -- we can benefit in our
11 community from people like her. I just ask that
12 you consider that when you're making this
13 decision because, like I said, it's -- it's a lot
14 of time, and then for her to not be able to live
15 a life -- and I understand the people and stuff
16 that she's affected, and I'm not -- I'm not
17 trying to override that at all. I'm just saying
18 she is a person.

19 I am no one special. Half the people
20 that are in recovery in these -- in these pews
21 are nobody special. We just were able to find a
22 way out because we had people to support us, and
23 we had that drive to go in the right direction.

24 And I'm telling you, what Kayla went
25 through, nobody deserves to go through. And what

1 she went through is something that will forever
2 change her life, and I know that she will use
3 what she's learned for the good.

4 But I just want to thank you, sir, for
5 all this, and I want to thank each and every
6 single one of you.

7 And I love you, Kayla.

8 THE COURT: Thank you.

9 Ms. Martinez, is your client ready to
10 allocute to the Court?

11 (Private discussion between the
12 Defendant and Ms. Martinez.)

13 MS. MARTINEZ: Yes, Your Honor.

14 THE COURT: Thank you.

15 Ms. Knott?

16 THE DEFENDANT: Yes.

17 THE COURT: Go ahead. What's on your
18 mind today?

19 MS. MARTINEZ: Your Honor, I expected
20 that you would ask her questions.

21 THE COURT: I'm just not hearing you.
22 You've got to get the mic in there.

23 MS. MARTINEZ: I apologize, Your Honor.
24 I thought you were going to ask her questions as
25 part of the allocution.

1 THE COURT: Sure. My question simply
2 is: Would you like to make a statement to the
3 Court, and if you would, what would you like to
4 say?

5 THE DEFENDANT: No, I -- I wrote you a
6 letter.

7 THE COURT: Yeah.

8 THE DEFENDANT: And I just -- I don't
9 know what to say.

10 THE COURT: It's a well-written letter.

11 THE DEFENDANT: Thank you.

12 THE COURT: You know, do you have
13 anything further that you'd like to add before I
14 proceed?

15 THE DEFENDANT: No.

16 THE COURT: Time doesn't permit the
17 Court to specifically address all of the
18 statements made by your character witnesses and
19 by the character letters or -- and most
20 importantly by your letter, but I do -- I would
21 be remiss if I didn't explain and frame the
22 issues that are before the Court today.

23 You know, there was a statement by
24 Ashley, your second character witness to testify
25 this morning here, to make a statement, about

1 hearts being broken, and that's evident. This is
2 a heartbreaking case, and it's -- it is a sad,
3 sad case.

4 Now, in court, if you're in court at the
5 state level, state court judges have discretion
6 that federal court judges don't have. They have
7 a level of discretion that they can exercise, and
8 sometimes at the state court level how people
9 feel about you or what you've done to impact
10 their lives is something that can be taken into
11 consideration. Now, to some extent, it can be
12 taken into consideration in federal court, too,
13 but in federal court, the judges have much less
14 discretion, the Court has much less discretion,
15 and the sentence that is imposed is to be a
16 sentence that is sufficient but not greater than
17 necessary, and that's under the Guidelines and
18 under Federal Code.

19 There's a political commentator that's
20 out there that has coined the phrase "facts don't
21 care about your feelings." I'm not saying that's
22 the case in this courtroom, but I am saying that
23 the facts of what you have done matter a lot more
24 when fashioning that sentence, in considering the
25 statutory factors, and that's why we have

1 Sentencing Guidelines, which are advisory
2 guidelines.

3 So heartbreaking case, yeah, but also
4 another word that is important here, another
5 phrase that's important, is that this is a
6 heartland case. Under the Sentencing Guidelines,
7 this is a case that is right in the heartland of
8 what is contemplated by United States Code and by
9 the Guidelines.

10 And Ms. Tilleskjaer, law enforcement and
11 Mr. Myers have a role here, and if -- when we go
12 to trial, I often speak to the jurors about what
13 the role of everybody is in this matter. The
14 role of the defense attorney, for example, is set
15 forth for the jury, and the defense attorney's
16 job is to zealously represent and defend their
17 client within the confines of the law.

18 And prosecutors and law enforcement have
19 a role as well, and that's to prosecute the case
20 within the confines of the law.

21 Go ahead, Ms. Knott. If you need to
22 speak to Ms. Martinez, I can hold my thought.

23 THE DEFENDANT: No. Sorry.

24 THE COURT: Are you sure?

25 THE DEFENDANT: Yeah.

1 THE COURT: Okay. If at any time during
2 this hearing you need a moment with your lawyer,
3 you just let me know. Okay?

4 THE DEFENDANT: Okay. Thank you.

5 THE COURT: Thank you.

6 If we have a jury trial, the jurors have
7 a role, and their role is the finders of fact,
8 and the Court is the finder of law. Everybody
9 has their roles.

10 You know, law enforcement and Mr. Myers
11 don't need anybody to defend them or their
12 actions in these cases, but I do want to assure
13 you, Ms. Tilleskjor, that Mr. Myers would much
14 rather not be here today, he would rather be
15 doing something else on January 3rd, and that
16 these law enforcement officers would much rather
17 not have -- not be here, but they poured their
18 guts into this.

19 You know, law enforcement sometimes
20 is -- is described as intrepid, you know,
21 adventurous, but oftentimes that intrepid nature,
22 that courageous nature evolves into something
23 more, which is a -- which is heroism, and there
24 was a whole lot of heroism going on in this case
25 by law enforcement in this matter. A lot. A lot

1 that's not seen, a lot that's not even known by
2 the Court this morning.

3 You know, for those of you who have
4 training in economics, there's such a thing as
5 opportunity cost. Right? The idea is that
6 there's opportunity cost; that's the loss of
7 potential gain because of choices that are made
8 for other alternatives. There's a big
9 opportunity cost here.

10 We have -- Ms. Knott, you are -- you
11 have some education and college. Correct?

12 THE DEFENDANT: Yes. Yes.

13 THE COURT You are educated; you're
14 charismatic; you're persuasive, likeable,
15 articulate. All of these lend to the
16 heartbreaking nature of this particular matter.
17 Bright, articulate people like you that are
18 recently 32 years old --

19 THE DEFENDANT: Yes.

20 THE COURT: -- are -- you know, you're
21 supposed to be doing other things with your life,
22 lives. In this case, I suspect, speaking of
23 opportunity cost, that there were probably other
24 lives that were affected or lost that are unknown
25 to law enforcement because of this particular

1 continuing criminal enterprise, and in the
2 federal system, that needs to be accounted for
3 and is accounted for.

4 Ms. Knott, you're the first person that
5 I've seen in my time both as a practicing
6 attorney and as a federal judge that I'm willing
7 to admit might be a little bit of a victim of
8 life. This whole file here that I have -- this
9 is half of what I have on my bench. Much of it
10 is your biography, right, your life story. Both
11 parents involved in drug trafficking; your
12 grandma involved in drug trafficking; you working
13 closely with the cartel; your life arguably,
14 maybe not even arguably, saved by the heroic
15 actions of law enforcement.

16 You know, I always try to tell my kids,
17 don't be a victim of life. You had a life story
18 that -- to say that it is sad and tragic is a
19 great understatement, but there's also part of
20 this that is your autobiography. The difference
21 between a biography and an autobiography is that
22 the autobiography is the story of your life
23 written by you, and you wrote some of this story,
24 and that's what you're being sentenced on today
25 is the continuing criminal enterprise that is

1 that part.

2 Now, you're going to be sitting a
3 stretch of time, and you're going to need to do
4 some work on yourself, but by my math, when
5 you're released from federal prison, you'll still
6 be in your very early 50s. You'll have a lot of
7 life left because you're very young now. And --
8 and so my hope and desire is that you are able to
9 turn it around and -- and that is what will be
10 the work that is left to you.

11 Having said that, Ms. Knott, I have
12 considered the entire file in this matter, and I
13 have considered the statements of Counsel, your
14 statement, all the letters in the file, your
15 written letter, the character statements made
16 today. I've considered the Sentencing
17 Guidelines. I've considered the Sentencing
18 Factors under 18 U.S. Code 3553(a), and I've
19 considered all of the statutory and guideline
20 factors in the filing at Document 653. I'm
21 granting the motion of the United States at
22 Document 653 in imposing sentence today.

23 And pursuant to the Sentencing Reform
24 Act of 1984, it's the judgment of this Court that
25 you shall be committed to the custody of the

1 Bureau of Prisons on Count Five for 321 months;
2 on Count Four for 240 months, concurrent.

3 The Court is not imposing sentence on
4 Count One. The Court is not to impose sentence
5 on Count One because it's a lesser included
6 offense of Count Five, so no sentence is
7 pronounced on Count One.

8 On Count Four you will be subject to
9 supervised release for the statutory maximum of
10 three years, and on Count Five you'll be on
11 supervised release for ten years.

12 The statute provides that there should
13 be at least five years of supervised release.
14 Ms. Jorgenson, is that a limit of five years max
15 as well?

16 USPO JORGENSEN: It is not, Your Honor.
17 It's a minimum of five years.

18 THE COURT: Yeah. So the Court is
19 imposing ten.

20 And, Ms. Knott, the Court also is
21 imposing the \$100 special assessment on
22 Count Four and Count Five for \$200 total, and
23 that must be paid immediately.

24 Now, with regards to your supervised
25 release, you're going to be subject to mandatory

1 conditions of supervised release and standard
2 conditions of supervised release.

3 You're also going to be subject to the
4 special conditions of supervised release that are
5 delineated on page 26 and 27 of your PSIR as
6 Attachment A. There are seven special
7 conditions.

8 Ms. Martinez, I would read all of the
9 conditions of supervised release specifically if
10 you ask me to. If you waive reading of the
11 mandatory and standard and special conditions, I
12 would accept that waiver.

13 MS. MARTINEZ: Your Honor, we would
14 waive it.

15 THE COURT: All right.

16 Mr. Myers, is that to the satisfaction
17 of the United States?

18 MR. MYERS: Yes, Your Honor. Thank you.

19 THE COURT: Thank you.

20 The recommendation of the Court is that
21 you assess for and participate in RDAP at the
22 Bureau of Prisons. That would be greatly to your
23 benefit with regards to the decisions that you
24 make in the future and your cognitive structure
25 and paradigm through which you see life. It will

1 help you a lot, Ms. Knott.

2 The Court dismisses the forfeiture
3 allegation upon motion of the United States.

4 Is that correct, Mr. Myers?

5 MR. MYERS: Yes, Your Honor. I think we
6 filed that previously.

7 THE COURT: Yeah. And the Court
8 dismisses Count Two and Count Eight as well.

9 Additionally, with the motion at
10 Document 653, the Court grants that motion and
11 withdraws the certified prior conviction that was
12 set forth as well, and that was pursuant to the
13 Plea Agreement.

14 As indicated, the Court finds that this
15 is a case that is in the heartland of what is
16 contemplated by Federal Code and by the
17 Guidelines.

18 Ms. Knott, you have two weeks to appeal
19 this. I know that you remember from your change
20 of plea, even though that was a long time ago,
21 that you have -- that you have an appeal waiver
22 in your Plea Agreement, which is common in all
23 plea agreements in federal court. You reserve
24 the right to appeal in two limited instances, and
25 Ms. Martinez is an experienced attorney who can

1 advise you on that.

2 Mr. Myers, is there anything further on
3 behalf of the United States?

4 MR. MYERS: No, Your Honor. Thank you.

5 THE COURT: Ms. Martinez? Take a moment
6 with your client, please.

7 (Public discussion between the
8 Defendant and Ms. Martinez.)

9 MS. MARTINEZ: Your Honor, with the
10 imposition of RDAP, would she also be entitled to
11 the reduction in credits?

12 THE COURT: That is something that you
13 are going to need to research. I can't answer
14 that. I can tell you that after the hearing
15 perhaps Ms. Jorgenson, or if there's any other
16 probation officers around, they can maybe advise.
17 It's a -- it's a question that the Court is not
18 comfortable answering.

19 MS. MARTINEZ: Thank you.

20 THE COURT: Thank you.

21 Ms. Martinez, do you have anything
22 further?

23 MS. MARTINEZ: I think, Your Honor, if I
24 heard this correctly, you went with exactly what
25 the United States Government was requesting, that

1 321 months?

2 THE COURT: Yes.

3 MS. MARTINEZ: Nothing further to add
4 other than I would just ask that you reconsider
5 and shave off maybe a few years, which is likely
6 what would have occurred had we come to an
7 agreement, but Ms. Knott really wanted you to
8 have all of this information and to put it in
9 front of you. We needed this type of sentencing
10 hearing. And that would have been 23 years,
11 which isn't much different, but it's something.

12 THE COURT: The Court has considered all
13 of the factors set forth in the Guidelines, and
14 the sentence that was imposed is, in the Court's
15 estimation, sufficient but not greater than
16 necessary.

17 MS. MARTINEZ: Thank you, Your Honor.

18 THE COURT: Thank you.

19 Ms. Knott, God bless you, and good luck
20 to you in your future.

21 THE DEFENDANT: Thank you.

22 THE COURT: We are in recess.

23 (These proceedings were concluded at
24 10:16 a.m.)
25

1 CERTIFICATE OF COURT REPORTER

2
3 I, Carolyn Taylor Pekas, a duly appointed
4 Registered Professional Reporter, DO HEREBY
5 CERTIFY:

6 That the proceedings were reported in
7 stenotype by me at the aforementioned time and
8 place;

9 That the foregoing fifty-five (55)
10 typewritten pages contain a true and correct
11 transcript of the proceedings to the best of my
12 ability.

13 WITNESS my hand and seal this 3rd day of
14 February, 2025.
15
16
17
18
19

20 */s/ Carolyn Taylor Pekas*
21

22 _____
23 Carolyn Taylor Pekas, RPR
24 United States District Court Reporter
25 District of North Dakota
Eastern Division